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THE PRINCIPLES OF EQUITY. By A. M. Wilshire. London: Sweet and Maxwell, Ltd. 1920. pp. xxvii, 584.

To writers of legal treatises the field of Equity has been an inviting one. Of the larger works the fourteenth American and third English editions of Story's treatise and the fourth edition of Pomeroy's treatise have recently appeared. There have been three editions of Strahan and Kendrick's Digest of Equity, somewhat similar in its scope and purpose to the book under review. A few months ago Clark's Equity appeared. And of course there are numberless treatises on separate heads of equity jurisdiction, particularly Trusts, Mortgages and Partnership.

The author, writing as he says primarily for students, has devoted five hundred pages of his text (summarized in a convenient epitome of seventy-four pages) to a general survey of equity jurisdiction, including the subjects of Trusts; Conversion, Election, Performance and Satisfaction; Mortgages; Separate Property of Married Women; Infants and Persons of Unsound Mind; Partnership; Assignments of *Choses* in Action, Subrogation and Contribution; Misrepresentation and Fraud; Mistake; Partition; Specific Performance; Injunctions; Receivers and Equitable Execution; Accounts; and Administration of Assets. To treat all these subjects thoroughly in five hundred pages is of course an impossible task. The author does however lay down with accuracy and precision the fundamental underlying principles and cites the leading English cases. He labors under the disadvantages which result from his confining himself to the law of England; he shows little disposition to inquire into the validity of the principles developed in the English decisions. For this reason Professor Clark's book, in spite of some inaccuracies contained in it, is, it is believed, a more useful tool to place in a student's hands.

A. W. S.

COMMENTARIES ON EQUITY JURISPRUDENCE. By Hon. Justice Storey, LL.D. Third English Edition. By A. E. Randall. London: Sweet and Maxwell, Ltd. 1920. pp. xxxvii, 673.

American lawyers in general and those interested in the Harvard Law School in particular may well take pride in the fact that almost a century after the first edition of Mr. Storey's great work it retains such value that a third English edition should be published. The law has advanced since Mr. Storey wrote his Commentaries on Equity Jurisprudence. It was to be expected that a 1920 edition would differ from the original work. So we may take all the more pride in the fact that only two chapters of the original work have been omitted and it has only been necessary to subdivide one chapter into two. The changes for the most part have been minor ones, and the excellent historical discussions and broad principles of the early work remain practically unchanged.

The present edition is preëminently one for the practitioner who wants to know what the law is rather than for the student or theorist who tries to determine what the law should be. It is frankly an English book for the use of the English lawyer. No American citations have been retained and passages where Mr. Storey spoke of points of difference between English and American law have been deleted. Where a decision or statute law has settled what was formerly a debatable point, or has altered the powers of the Chancery Court, the original discussion is omitted and the effect of the decision or of the statute is substituted. By such changes and by the elimination of many long footnotes, the book has been materially shortened, probably without seriously impairing its usefulness to the English practitioner; but the book can hardly be said to retain all the value of the original work as a discussion of the basic principles of Equity Jurisprudence.

The editor deserves much praise for having avoided the tendency of modern textbooks to become mere digests. To be sure, little of the author's own reasoning has been added, but on the other hand the reader is not given a multitude of specific cases which have little, if any, bearing on the general principles involved.

While this edition must be of great assistance to the English bar the literary form is open to severe criticism. Many English citations as well as all American citations have been omitted, often leaving a proposition unsupported by the evidence which the author evidently considered necessary. More serious, however, is the fact that there is nothing in the book to indicate deletions, insertions, or other changes from the last edition which Mr. Storey worked on, namely the fourth American edition. It would seem that this would seriously impair the value of any citations from the book since it is only by comparison with an earlier edition, very likely difficult to obtain in England, that a lawyer or a judge could tell what statements were those of the author and what statements are to be ascribed to the editor. If Mr. Randall had written a book under his own name and had acknowledged his indebtedness to Mr. Storey's book this criticism would not apply. But it is submitted that if a writer uses the name of a great jurist he should be very careful that the reader may know the sponsor for any given statement without referring to an earlier volume. Of course no one would expect the editor of a 1920 edition to subscribe to every statement made by the author, but it is submitted that a member of the bar who, by undertaking a new edition of Mr. Storey's work, admits some measure of gratitude and admiration for the author, should express his dissent in terms more respectful than those of section 1212.

CAMPBELL BOSSON.

HANDBOOK OF ADMIRALTY LAW. By Robert M. Hughes. Second Edition. St. Paul: West Publishing Company. 1920. pp. xviii, 572.

The law of Admiralty is a subject so foreign to many of our common-law conceptions, and yet involves cases often of such large importance that the noteworthy lack of adequate American treatises on the subject seems particularly unfortunate. Those interested in admiralty law must therefore note with especial satisfaction the appearance of a second edition of what is generally acknowledged as the best American textbook covering the general field of admiralty law.

The second edition maintains the same paragraphing as the first, and follows closely the original text, such additions being inserted as have been necessitated by the developments of the law since the first edition appeared. Several such changes have caused considerable alteration of the former text, particularly in regard to the law concerning the creation of maritime liens through the furnishing of supplies and repairs to domestic vessels (§§ 45-52), rights of action on the part of the crew against the vessel owner (§ 101), and the right of action arising from death injuries upon the sea (§ 114). The new text incorporates the provisions of the important Act of June 23, 1910 (pp. 99-101) which sweeps away much of the law under the *General Smith* decision,¹ the Salvage Act of 1912 (pp. 137, 425), pertinent provisions of the Seamen's Act of 1915 (p. 207), and the important death statute of March 30, 1920 (p. 240). Reference is also made to the Workmen's Compensation Act of October 6, 1917 (p. 209), since declared unconstitutional, and to the English Maritime Conventions Act of 1911 (p. 318). Unfortunately the book went to press too early to include the recent Merchant Marine Act of June 5, 1920, which in several particulars substantially alters the law of admiralty.

¹ 4 Wheat. (U. S.) 438, 4 L. Ed. 609 (1819). This Act of 1910 has since been supplanted by the Act of June 5, 1920, section 30, subjects. P-T, X.